

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA**

GRADY O. HUMPHREYS, et al.,

PLAINTIFFS

vs.

CIVIL ACTION NO. 2:07-CV-607-WKW

**A. O. SMITH ELECTRICAL PRODUCTS
COMPANY, a division of A. O. SMITH
CORPORATION, et al.,**

DEFENDANTS

**OGLEBAY NORTON COMPANY'S JOINDER IN BORG-WARNER CORP.'S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

COMES NOW Defendant, Oglebay Norton Company, by and through undersigned counsel, and hereby joins in and adopts the Motion for Partial Summary Judgment filed on April 4, 2008, by Defendant, Borg-Warner Corp. By so joining, Oglebay Norton Company does not waive any defenses otherwise available to it.

THIS 9th day of June, 2008.

Respectfully submitted,

Oglebay Norton Company

By: s/ Cyrus C. Barger, III
Cyrus C. Barger, III, AL Bar #BAR137

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CERTIFICATE OF SERVICE

I, Cyrus C. Barger, III, counsel for Oglebay Norton Company, do hereby certify that I have this day electronically filed, a true and correct copy of the above and foregoing Oglebay Norton Company's Joinder in Borg-Warner Corp.'s Motion for Partial Summary Judgment with the Clerk of the Court and Plaintiff's counsel and have served all known Defense counsel via e-transmission.

THIS, 9th day of June, 2008.

s/ Cyrus C. Barger, III
Cyrus C. Barger, III

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